

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 06 2007

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RONALD SAMUEL JACKSON,)	
Petitioner,)	Civil Action No. 7:07CV00191
)	
v.)	<u>FINAL ORDER</u>
)	
UNITED STATES OF AMERICA,)	By: Hon. James C. Turk
Respondent.)	United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The respondent's motion to dismiss shall be and hereby is **GRANTED IN PART** and **DENIED IN PART**.
2. The matter is **REFERRED** to United States Magistrate Judge James G. Welsh for an evidentiary hearing on the petitioner's ineffective assistance claim. The magistrate judge shall submit to the court a report setting forth findings of fact, conclusions of law, and a recommended disposition, pursuant to 28 U.S.C. § 636(b)(1)(B).

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner, counsel of record for the respondent, and Magistrate Judge Urbanski.

ENTER: This 5th day of September, 2007.

James C. Turk

Senior United States District Judge